

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-10 are pending and stand rejected. Claims 1, 6 and 7 have been amended.

Claims 1, 2, 7, 8 and 10 stand rejected under 35 USC 102(b) as being anticipated by Faroudja (USP no. 5,754,248).

Applicant respectfully disagrees, and explicitly traverses, the reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, claims 1 and 7 have been amended to more clearly state the invention. No new matter has been added. Support for the amendments may be found in claims 4 and 5 and on page 4, first paragraph.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference.

As noted in the instant Office Action, "Faroudja fails to specifically teach the use of edge enhancement that is carried out by peak filtering." (see page 4, lines 11-12).

Accordingly, for the amendments made to the claims 1 and 7, applicant submits that Faroudja fails to anticipate the invention claimed in these claims because Faroudja fails to disclose each and every element claimed.

In view of the amendments made applicant believes that the reason for the rejection has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of independent claims 1, 7 and 10.

With regard to claims 2 and 8, these claims depend from independent claims 1 and 7, which have been shown to include subject matter not disclosed by, and hence allowable over, the cited reference. Accordingly, claims 2 and 8 are also allowable by virtue of their dependency upon an allowable base claim.

Claims 4-6 stand rejected under 35 USC 103(a) as being unpatentable over Faroudja in view of He (USP no. 6,600,517).

Applicant respectfully disagrees with and explicitly traverses, the reason for rejecting the claims.

As claims 4 and 5 have been cancelled, the reason for the rejection is no longer relevant. However, as the subject matter of claims 4 and 5 has been incorporated into independent claims 1 and 7, applicant will address the rejection to show why the combination of the cited references fails to render obvious the invention disclosed in the combination of independent claim 1 and dependent claims 4 and 5 (now independent claim 1).

As noted above Faroudja fails to disclose filtering and He discloses filtering method wherein pixels further from the current pixel are weighted with increasingly less value (see col. 6, lines 20-40). Hence, the He method describes a weighted filtering and fails to use statistical information of the pixels.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, Faroudja fails to disclose or suggest filtering, as noted by the Office Action. Hence, there is no motivation to incorporate the teachings of He into Faroudja, as suggested by the Office Action.

Even if there were some motivation to combine the references as suggested by the Office Action, the combined invention fails to include all the elements claimed. That is, the combined device would use a weighted filtering of pixels rather than statistical information regarding the filters.

Having shown that there is no motivation to combine the references as suggested and, alternately the combined device fails to disclose all the elements claimed, applicant submits the reason for the rejection has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.


Although the last Office Action was made final, this amendment should be entered. Claims 1 and 7 have each been amended to include subject matter recited in dependent claims. Since only subject matter that was previously reviewed on their merits has been added to the independent claims, no matter has been added to the claims that would require comparison with the prior art or any further review. Accordingly, pursuant to MPEP 714.13, applicant's amendments should only require a cursory review by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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